

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART B, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, Subpart E, known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 16th day of December A.D. 2010.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 17th day of November, 2010, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 13th day of January, 2011 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

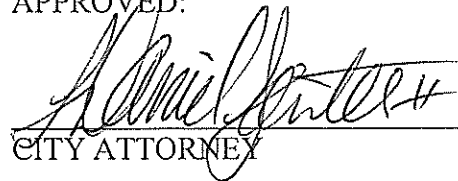
PASSED ON SECOND AND FINAL READING THIS 13th day of January, A.D. 2011.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:



CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to RR-1 (Rural Residential) zoning.

Legal Description:

HILLVIEW ADDN, BLOCK 5, LOT ALL
HILLVIEW ADDN, BLOCK 4, LOT ALL

Location:

1602 and 1618 Hillview Rd.

-END-

ZONING CASE Z-2010-18

STAFF REPORT



APPLICANT INFORMATION:

Oren S. McGrew

HEARING DATES:

Planning & Zoning Commission: December 6, 2010

City Council 1st Reading: December 16, 2010

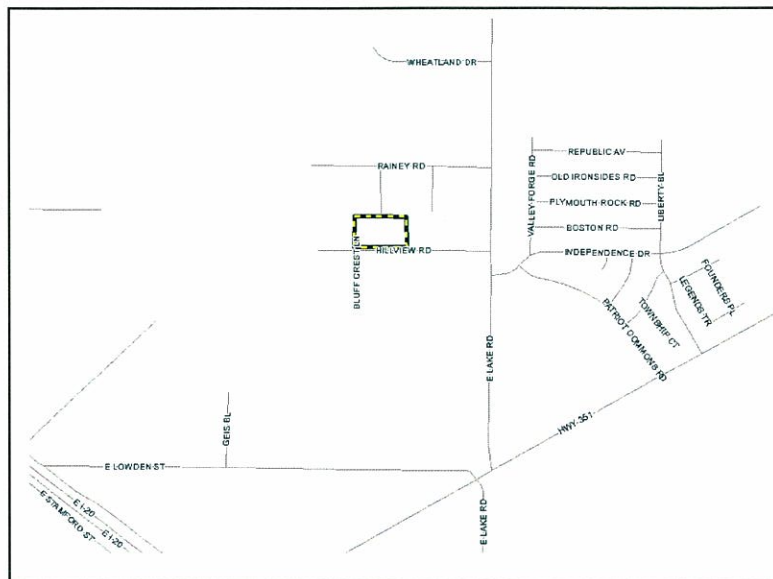
City Council 2nd Reading: January 13, 2011

LOCATION:

1618 and 1602 Hillview Rd.

REQUESTED ACTION:

Rezone property from AO to RR-1.



SITE CHARACTERISTICS:

The subject parcels total approximately 4 acres and are currently zoned AO (Agricultural Open Space). The parcels have been developed with a residential dwelling unit. The adjacent properties have AO zoning to the north, south east, and west, and RS-12 (Single Family Residential) zoning to the south as well.

ZONING HISTORY:

The area was annexed in 1980 and was zoned to AO when it was annexed.

ANALYSIS:

- Current Planning Analysis

Currently the properties are zoned AO and are developed with a residential dwelling unit. The properties to the north, south, east, and west are developed with residential dwelling units on large lots.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as low density residential. The applicant is requesting the zone change in order to replat the properties into different size lots to accommodate an accessory structure that was built over a lot line and to build another residential unit at 1602 Hillview. The current lot size does not meet the minimum lot standard for AO zoning, therefore they could not be replatted to accommodate the applicants future plans for their property. The requested zoning would be compatible with the surrounding residential uses as well as the Comprehensive Plan.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commissions motion to approve failed by a vote of three (3) in favor (Bixby, Glenn, and Campos) none (0) opposed and two (2) abstentions (McClarty and Todd). The lack of four favorable votes effectively denied the request since two of the Commissioners had to abstain from the voting. The overall feeling and discussion of the board however was favorable to the request.

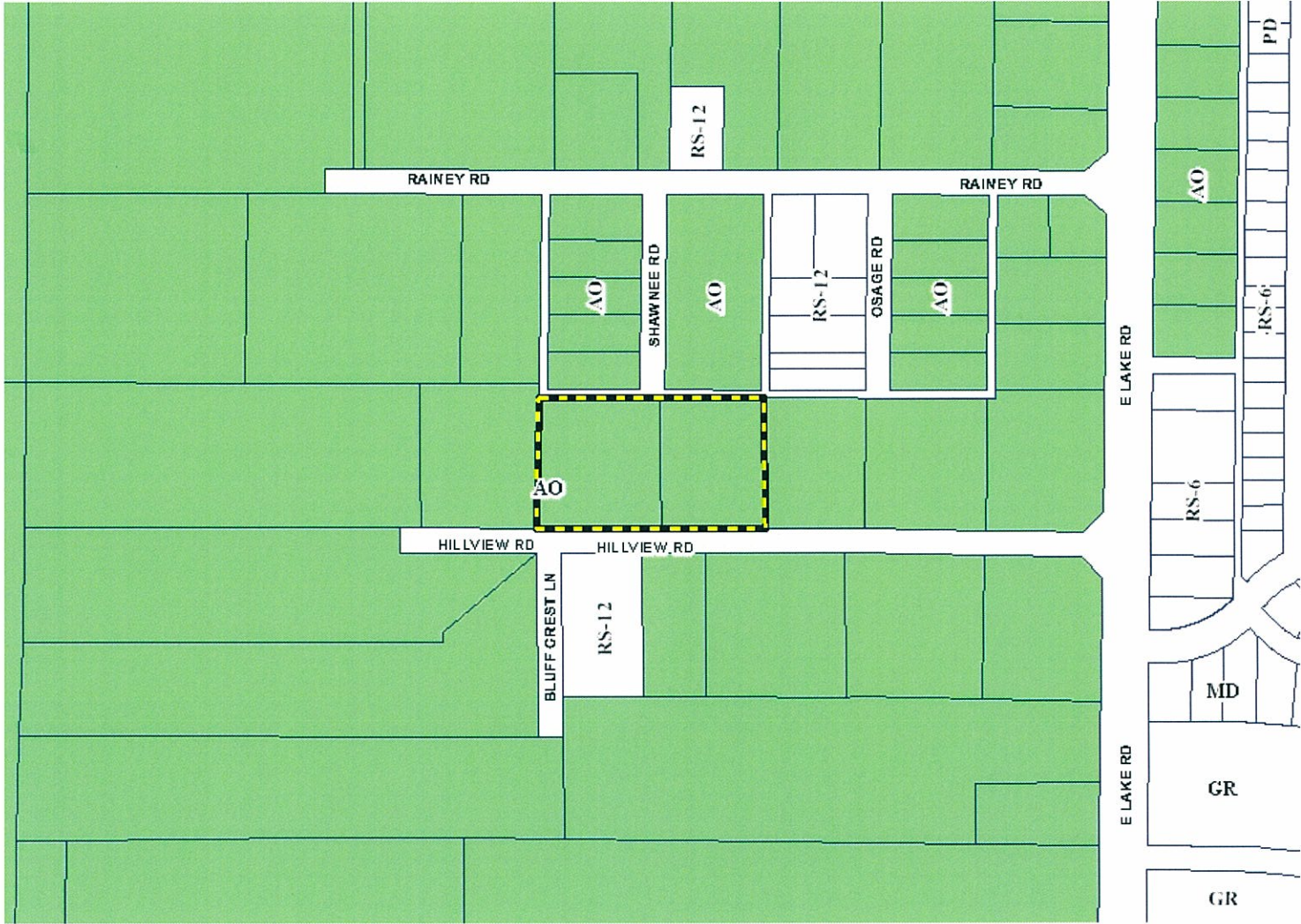
NOTIFICATION:

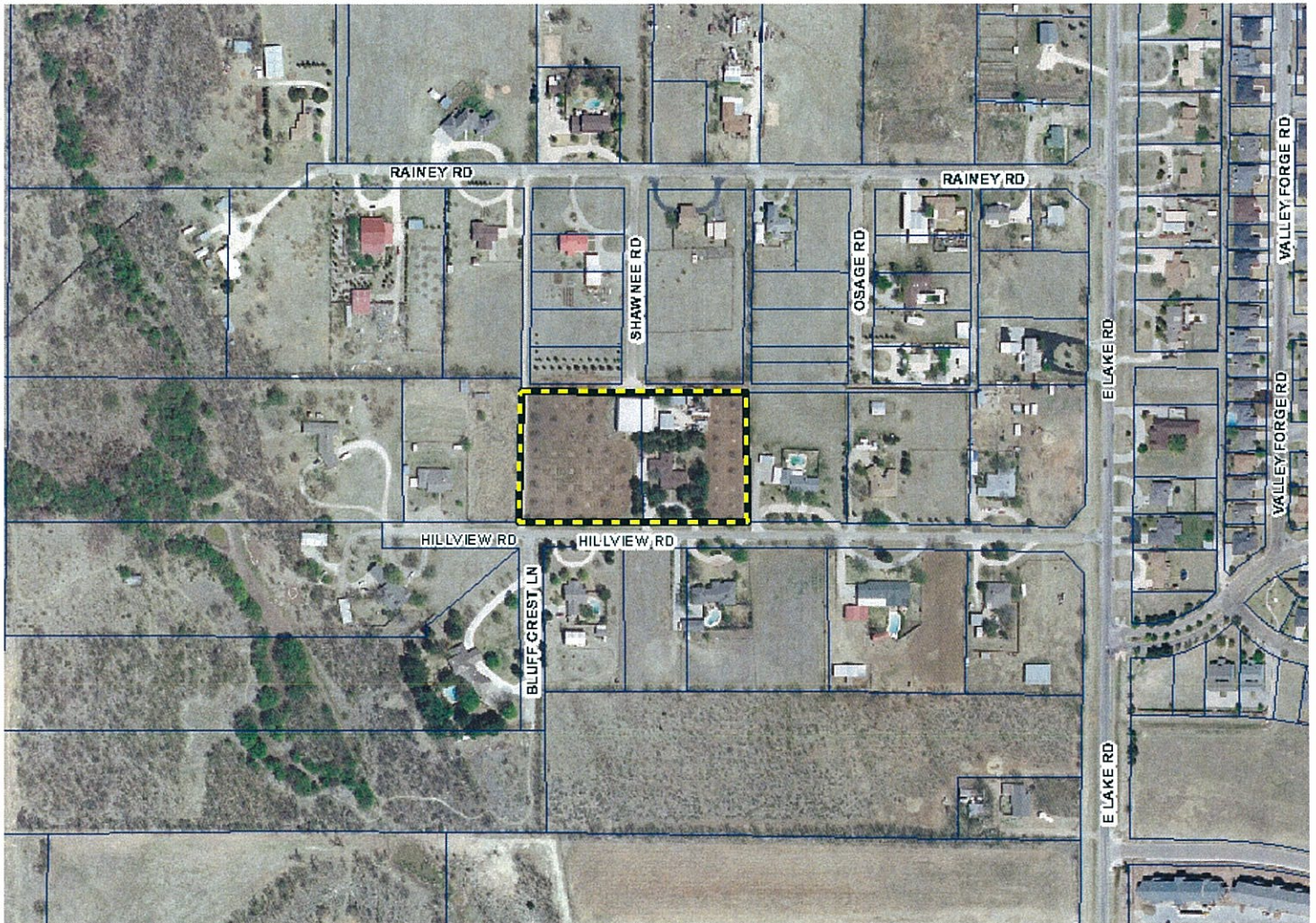
Property owners within a 200-foot radius were notified of the request.

OWNER	ADDRESS	RESPONSE
MARTIN HENRY L & KATHY R	1617 HILLVIEW RD	
HARTLINE MELVIN RAY	1518 HILLVIEW RD	
LALONE JAMES D & JANET L	1649 RAINEY RD	
SPRY ALAN W & SHERYL SUE		
COOKE JAMES C & CYNTHIA	1601 HILLVIEW RD	
MARTIN HENRY L & KATHY R	1633 HILLVIEW RD	
MC CLEN JOHN R & SUSAN J		
BLACKBURN CURTIS DALE &	1700 HILLVIEW RD	In Favor
MC GREW OREN S	1618 HILLVIEW RD	
STOKES REBECCA		
MC CLEN JOHN R & SUSAN J		
EDWARDS JARRELL &	1533 RAINEY RD	
ODEN RAYMOND C & LINDA R	1541 RAINEY RD	In Favor
DDFE INC	1501 HILLVIEW RD	
SPRY ALAN W & SHERYL SUE		
SPRY ALAN W & SHERYL SUE		
MC CLEN JOHN R & SUSAN J		
ALLEN CHARLES D & KAREN C	1701 HILLVIEW RD	
HALBERT DAVID STAFFORD	3000 BLUFF CREST LN	
MC GREW OREN S	1602 HILLVIEW RD	

2 in Favor- **Y**
0 Opposed- **N**









City Council
Agenda Memo



City Council
Meeting Date: 01/13/2011

TO: Larry D. Gilley, City Manager

FROM: Jon James, AICP
Director of Planning and Development Services

SUBJECT: Final reading and public hearing on an Ordinance for Case No. Z-2010-19, a request from Marlen Martinez and the City of Abilene to rezone property from GC (General Commercial) to RS-6 (Single Family Residential) zoning, located at 609 and 607 Portland Ave.

GENERAL INFORMATION

The original request was for 617 Portland, in reviewing the area City Staff initiated the request for 609 Portland to be rezoned as well. Currently the properties are zoned GC and have been developed with residential dwelling units. The properties to the north and west are developed with residential dwelling units. The properties to the south and east have been developed as commercial uses.

The Future Land Use section of the Comprehensive Plan designates this general area as low density residential. The requested zoning would be compatible with the surrounding residential uses as well as the Comprehensive Plan. The existing units are non conforming uses in GC zoning and this request would make the units conforming, so if they were ever destroyed or demolished in order to rebuild, they could be rebuilt as residential units.

STAFF RECOMMENDATION

Staff recommends approval as requested.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommended approval by a vote of five (5) in favor (Bixby, Glenn, Campos, Todd, and McClarty) to none (0) opposed.

ATTACHMENTS

Ordinance
Staff Report with Maps
Public Comment Received

Prepared by: Name: <u>Matt Jones</u> Title: <u>Planner II</u> January 4, 2011	Item No. <u>7.2</u>	Disposition by City Council <input type="checkbox"/> Approved Ord/Res# _____ <input type="checkbox"/> Denied <input type="checkbox"/> Other _____ City Secretary
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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART B, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, Subpart E, known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 16th day of December A.D. 2010.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 17th day of November, 2010, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 13th day of January, 2011 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 13th day of January, A.D. 2011.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:



CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from GC (General Commercial) to RS-6 (Single Family Residential) zoning.

Legal Description:

PARK HEIGHTS ABL, BLOCK 7, LOT 19
PARK HEIGHTS ABL, BLOCK 7, LOT 18

Location:

609 and 617 Portland Ave.

-END-

ZONING CASE Z-2010-19

STAFF REPORT



APPLICANT INFORMATION:

Marlen Martinez
City of Abilene

HEARING DATES:

Planning & Zoning Commission: December 6, 2010
City Council 1st Reading: December 16, 2010
City Council 2nd Reading: January 13, 2011

LOCATION:

609 and 617 Portland Ave.

REQUESTED ACTION:

Rezone property from GC to RS-6. The original request was for 617 Portland, in reviewing the area City Staff initiated the request for 609 Portland to be rezoned as well.



SITE CHARACTERISTICS:

The subject parcels total approximately 0.32 acres and are currently zoned CG (General Commercial). The parcels have been developed with residential dwelling units. The adjacent properties have RS-6 (Single Family Residential) zoning to the north and west, and GC to the south, east, and west.

ZONING HISTORY:

The area was annexed in 1911 and was zoned to GC sometime after it was annexed.

ANALYSIS:

- Current Planning Analysis
Currently the properties are zoned GC and have been developed with residential dwelling units. The properties to the north and west are developed with residential dwelling units. The properties to the south and east have been developed as commercial uses.
- Comprehensive Planning Analysis
The Future Land Use section of the Comprehensive Plan designates this general area as low density residential. The requested zoning would be compatible with the surrounding residential uses as well as the Comprehensive Plan. The existing units are non conforming uses in GC zoning and this request would make the units conforming, so if they were ever destroyed or demolished in order to rebuild, they could be rebuilt as residential units.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommended approval by a vote of five (5) in favor (Bixby, Glenn, Campos, Todd, and McClarty) to none (0) opposed.

NOTIFICATION:

Property owners within a 200-foot radius were notified of the request.

OWNER	ADDRESS	RESPONSE
ROSE PARK SHOPPING CENTER	2526 S 7TH ST	
ROSE PARK SHOPPING CENTER	2502 S 7TH ST	
MORALES CLEMENTE	2602 S 7TH ST	Opposed
PUESCHEL DAX MONROE	517 PORTLAND AV	
MARTINEZ MARLEN	617 PORTLAND AV	
MARTINEZ BIANCA M	602 PORTLAND AV	
STONEHENGE INVESTMENTS LLC	614 PORTLAND AV	
DEGNAN THOMAS E	526 PORTLAND AV	
ALLDREDGE RUBY FAYE	610 PORTLAND AV	
SMITH BILLY RAY	609 PORTLAND AV	In Favor
LOPEZ JUAN CARLOS	526 ROSS AV	
WATTS JANICE L	542 ROSS AV	
VIDRINE KURT R & AMANDA C	602 ROSS AV	
JACQUES EDWARD M & JODI L	2618 S 7TH ST	
FAIRBETTER WILLIAM M	622 PORTLAND AV	In Favor
OWENS CORRIE JEANELL	601 PORTLAND AV	
JONES SCOTT CHRISTOPHER	610 ROSS AV	
RAMIREZ NOEL & MARGIE A	525 PORTLAND AV	
SOLIS ALBERT III & MALINDA	541 PORTLAND AV	
BOYD RUBY	518 ROSS AV	
MARTINEZ BIANCA M	534 PORTLAND AV	
DIAZ HERMILO	533 PORTLAND AV	
WALKER ROBERT W	534 ROSS AV	

2 in Favor- **Y**
 1 Opposed- **N**









City Council
Agenda Memo



City Council
Meeting Date: 01/13/2011

TO: Larry D. Gilley, City Manager

FROM: Jon James, AICP
Director of Planning and Development Services

SUBJECT: Final reading and public hearing on an Ordinance for Case No. Z-2010-20, a request from Joseph Lopez to rezone property from MD (Medium Density Residential) to NO (Neighborhood Retail) zoning, located at 965 EN 10th St.

GENERAL INFORMATION

Currently the property is zoned MD and is developed with a residential dwelling unit. The properties to the west and south are developed with residential dwelling units. The properties to the north and east have been developed as commercial uses. Neighborhood Office seems to be an appropriate zoning for the subject property since the property has frontage along an arterial street and is near the intersection with another arterial street. The zoning request would also create a transitional zoning from the commercial use along N Judge Ely Blvd. to the residential uses to the west along EN 10th St. The required landscaping and buffering will also help to soften the impacts of any development on the surrounding neighborhoods.

The Future Land Use section of the Comprehensive Plan designates this general area as low density residential. The subject property is also along an Enhancement Corridor and part of a Local Community Center as defined by the Comprehensive Plan. The applicant is requesting the zone change to allow for a parking lot for a bank. The requested zoning would be compatible with the surrounding residential uses as well as the Comprehensive Plan.

STAFF RECOMMENDATION

Staff recommends approval as requested.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommended approval by a vote of five (5) in favor (Bixby, Glenn, Campos, Todd, and McClarty) to none (0) opposed.

ATTACHMENTS

Ordinance
Staff Report with Maps
Public Comment Received

Prepared by:

Name: Matt Jones

Title: Planner II

January 4, 2011

Item No. 7.3

Disposition by City Council

- Approved Ord/Res# _____
 Denied
 Other

City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART B, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, Subpart E, known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 16th day of December A.D. 2010.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 17th day of November, 2010, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 13th day of January, 2011 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

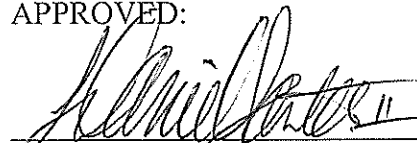
PASSED ON SECOND AND FINAL READING THIS 13th day of January, A.D. 2011.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:



CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from MD (Medium Density Residential) to NO (Neighborhood Office) zoning.

Legal Description:

RADFORD HILLS SEC 1, BLOCK 1, LOT 23

Location:

965 EN 10th St.

-END-

ZONING CASE Z-2010-20

STAFF REPORT



APPLICANT INFORMATION:

Joseph Lopez

HEARING DATES:

Planning & Zoning Commission: December 6, 2010

City Council 1st Reading: December 16, 2010

City Council 2nd Reading: January 13, 2011

LOCATION:

965 EN 10th Street

REQUESTED ACTION:

Rezone property from MD to NO.



SITE CHARACTERISTICS:

The subject parcel totals approximately 0.20 acres and is currently zoned MD (Medium Density Residential). The parcel has been developed with a residential dwelling unit. The adjacent properties have RS-6 (Single Family Residential) zoning to the south, MD (Medium Density Residential) to the west, GC (General Commercial) to the north across EN 10th St., and GR (General Retail) to the east.

ZONING HISTORY:

The area was annexed in 1957 and was zoned to MD sometime after it was annexed.

ANALYSIS:

- Current Planning Analysis

Currently the property is zoned MD and is developed with a residential dwelling unit. The properties to the west and south are developed with residential dwelling units. The properties to the north and east have been developed as commercial uses.

Neighborhood Office seems to be an appropriate zoning for the subject property since the property has frontage along an arterial street and is near the intersection with another arterial street. The zoning request would also create a transitional zoning from the commercial use along N Judge Ely Blvd. to the residential uses to the west along EN 10th St. The required landscaping and buffering will also help to soften the impacts of any development on the surrounding neighborhoods.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as low density residential. The subject property is also along an Enhancement Corridor and part of a Local Community Center as defined by the Comprehensive Plan. The applicant is requesting the zone change to allow for a parking lot for a bank. The requested zoning would be compatible with the surrounding residential uses as well as the Comprehensive Plan.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval as requested.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

The Planning and Zoning Commission recommended approval by a vote of five (5) in favor (Bixby, Glenn, Campos, Todd, and McClarty) to none (0) opposed.

NOTIFICATION:

Property owners within a 200-foot radius were notified of the request.

OWNER	ADDRESS	RESPONSE
RINEY LARRY DON & SHERRI ANN	933 HARWELL ST	
PITTMAN DAVID M & AMANDA L	934 RADFORD DR	
RALL MONROE HARLAND &	918 RADFORD DR	In Favor
PATTERSON DEXTER & VICKI	902 RADFORD DR	
MASTERS OPERATING LTD	949 AVENUE F	
CLAY KEITH A	933 EN 10TH ST	
NICHOLSON RANDY TR	934 EN 10TH ST	
FIRST NATIONAL BANK	1010 N JUDGE ELY BL	
BUSCH HOWARD JR	917 EN 10TH ST	
FIRST NATIONAL BANK OF BAIRD	966 N JUDGE ELY BL	
HART DWAIN M	941 HARWELL ST	
EARLY JERRY DON	950 N JUDGE ELY BL	
LEE ROBERT E & PAMELA J	950 RADFORD DR	
GALLAWAY B P	949 EN 10TH ST	
SCHULZ IDA JEAN	965 EN 10TH ST	

1 in Favor- **Y**
0 Opposed- **N**







City Council
Agenda Memo



City Council
Meeting Date: 01/13/2011

TO: Larry D. Gilley, City Manager

FROM: Jon James, AICP
Director of Planning and Development Services

SUBJECT: Final reading and public hearing on an Ordinance for Case No. TC-2010-03, a request from Pierre E. Connor, Jr. Life Estate, Stephen Lee Connor Remainderman, and Pierre E. Connor, III Remainderman to abandon a 10' alley right of way north of the 1700 Block of San Jacinto Dr. that extends approximately 800' west of Northway Drive.

GENERAL INFORMATION

Improvements to this alley right-of-way have never been completed. The right-of-way (ROW) was dedicated for public use but they have never been used as such. The 10' dedication is only half of the required 20' for a standard alley ROW.

The applicant is requesting that the ROW be abandoned in order to not have to dedicate the additional 10' alley ROW that is needed, as well as to not have to make improvements to the alley ROW. There are no services provided in the alley ROW and there is no reason to believe that the ROW is needed in this location to serve future development. The ROW is not planned to be improved and the request does not have any negative impacts on the surrounding property owners or the circulation of traffic in the area.

PLAT REVIEW COMMITTEE:

Approval of the requested closures with the following condition, the abandonments are not final until a plat is filed showing the deletion of the right-of-way. The plat should be filed within 18 months.

STAFF RECOMMENDATION:

Approval of the requested abandonment, with the conditions suggested by the Plat Review Committee.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommended approval by a vote of five (5) in favor (Bixby, Glenn, Campos, Todd, and McClarty) to none (0) opposed.

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by: Name: <u>Matt Jones</u> Title: <u>Planner II</u> January 4, 2011	Item No. <u>7.4</u>	Disposition by City Council <input type="checkbox"/> Approved Ord/Res# _____ <input type="checkbox"/> Denied <input type="checkbox"/> Other _____ City Secretary
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ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the following described portion of a Public Right of Way, as described on Exhibit "A," attached hereto and made a part of this ordinance for all purposes, be, and the same is hereby abandoned, vacated and closed insofar as the right, title or easement of the public is concerned, subject to conditions as stated in Exhibit A.

PART 2: That said portion of a Public Right of Way is not needed for public purposes and it is in the public interest of the City of Abilene to abandon said described portion of a Public Right of Way.

PART 3: That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in Part 1 of this ordinance, and shall be construed only to that interest the governing body of the City of Abilene may legally and lawfully abandon.

PASSED ON FIRST READING this 16th day of December A.D. 2010.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 19th day of November 2010, the same being more than twenty-four (24) hours prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on second and final reading.

PASSED ON FINAL READING THIS 13th day of January, A.D. 2011.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:



CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

The City of Abilene hereby abandons the following thoroughfares:

A 10' alley right-of-way north of the 1700 Block of San Jacinto Drive that extends approximately 800' west of Northway Drive.

The alley right-of-way is indicated and shown in the map below:



With the following conditions:

1. All of the adjacent properties be replatted within 18 months.

-END-

THOROUGHFARE CLOSURE CASE TC-2010-03

STAFF REPORT

APPLICANT INFORMATION:

Pierre E. Connor, Jr. Life Estate
 Stephen Lee Connor Remainderman
 Pierre E. Connor, III Remainderman

HEARING DATES:

Planning & Zoning Commission: December 6, 2010
 City Council 1st Reading: December 16, 2010
 City Council 2nd Reading: January 13, 2011

REQUESTED ACTION:

Abandon a 10' alley right of way north of the 1700 Block of San Jacinto Dr. that extends approximately 800' west of Northway Drive.



SITE CHARACTERISTICS:

Improvements to this alley right-of-way have never been completed. The right-of-way (ROW) was dedicated for public use but they have never been used as such. The 10' dedication is only half of the required 20' for a standard alley ROW.

REQUEST ANALYSIS:

The applicant is requesting that the ROW be abandoned in order to not have to dedicate the additional 10' alley ROW that is needed, as well as to not have to make improvements to the alley ROW. There are no services provided in the alley ROW and there is no reason to believe that the ROW is needed in this location to serve future development. The ROW is not planned to be improved and the request does not have any negative impacts on the surrounding property owners or the circulation of traffic in the area.

RECOMMENDATIONS:

Plat Review Committee: Approval of the requested closures with the following condition, the abandonments are not final until a plat is filed showing the deletion of the right-of-way. The plat should be filed within 18 months.

Staff Recommendation: Approval of the requested abandonment, with the conditions suggested by the Plat Review Committee.

OWNER	ADDRESS	RESPONSE
WEST TEXAS UTILITIES CO	1574 SAN JACINTO DR	
CONNER PIERRE E JR		
MC CREARY B C DBA &	450 PENROSE DR	
HAMMOND TODD C	458 LANCASTER DR	In Favor
CROWDER MAXINE WARE	466 NORTHWAY DR	Opposed
GARCIA JUAN C	465 NORTHWAY DR	
MC CREARY B C DBA &	1841 SAN JACINTO DR	
DUNMAN ROSTON I	449 PENROSE DR	
LOPEZ JESSICA	1802 SAN JACINTO DR	
CITY OF ABILENE	1782 SAN JACINTO DR	
WEST TEXAS UTILITIES CO		
TKG SAN JACINTO PL DEV L P		
JENNINGS CAROLYN F ET AL	457 LANCASTER DR	Opposed
MC CREARY B C DBA &	1709 SAN JACINTO DR	
CITY OF ABILENE		



